



May 11, 2022

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Frederick L. Hill, Chairperson  
Board of Zoning Adjustment  
441 4th Street, NW, Suite 200S  
Washington, DC 20010

**Re: BZA Case No. 20666  
Applicant's Post-Hearing Submission**

Chairperson Hill and Honorable Members of the Board:

On behalf of Applicant 1644 North Capitol, LLC (the "Applicant"), the following addresses the Board's requests during the hearing on April 20, 2022. The Board scheduled this application for a decision meeting on May 25, 2022, but left the record open for information regarding the Applicant's contribution to the Housing Production Trust Fund and a discussion with ANC 5E of proposed conditions pertaining to noise.

**I. Housing Production Trust Fund**

In connection with the construction of new penthouse habitable space in the Applicant's by-right hotel project, the Applicant has contributed \$13,445.67 to the Housing Production Trust Fund.

**II. Noise-Related Conditions**

Following the April 20<sup>th</sup> hearing, the Applicant corresponded with SMD Commissioner Lewis regarding proposed conditions pertaining to noise on the penthouse rooftop terrace. Based on feedback from the community, the Applicant and SMD Commissioner Lewis agreed (via email) to the following conditions with respect to the rooftop terrace area:

1. There will be no amplified music before 12 pm or after 10 pm
2. All music will have no heavy bass
3. The Applicant will implement sound proofing around the penthouse restaurant
4. Only ambient music will be played on the rooftop terrace

These conditions will be submitted for consideration by ANC 5E at its meeting on May 17, 2022. We look forward to the Board's deliberation and decision on May 25, 2022.

Sincerely,

COZEN O'CONNOR



Eric DeBear

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11<sup>th</sup> day of May, 2022 a copy of the foregoing Post-Hearing Submission was served, via electronic mail, on the following:

District of Columbia Office of Planning  
c/o Brandice Elliott  
1100 4<sup>th</sup> Street SW, Suite E650  
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Advisory Neighborhood Commission 5E  
c/o Karla Lewis, SMD Commissioner  
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